

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DUNTRELL CALDERON,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS; MDC
OFFICERS; CITY OF NEW YORK,

Defendants.

19-CV-10216 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated November 5, 2019, the Court directed Plaintiff, within thirty days, to submit a completed and signed prisoner authorization or pay the \$400.00 in fees required to file a civil action.¹ That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not complied with the Court's November 5, 2019 order. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 15, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge

¹ After a search of the New York City Department of Correction records revealed that Plaintiff was detained in a different facility, on December 10, 2019, the Clerk of Court remailed the November 5, 2019 order to Plaintiff.